

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA,

Plaintiff

V.

GONS GUTIERREZ NACHMAN,

Defendant.

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Case No. 1:08cr62 (GBL)

**DEFENDANT’S MOTION FOR AN ORDER REQUIRING
THE GOVERNMENT TO GIVE NOTICE OF ITS INTENT TO
USE OTHER CRIMES, WRONGS OR ACTS EVIDENCE**

NOW COMES Defendant, by and through his undersigned counsel, and hereby moves this Honorable Court for an Order pursuant to Fed. R. Crim. P. 12(d) and Fed. R. Evid. 104(a) and (c) requiring the government to give notice of its intention to utilize the following during its case-in-chief, cross-examination or rebuttal case:

1. Evidence of “other crimes, wrongs or acts” of Defendant as the phrase is used in Fed. R. Evid. 404(b). In regard to such notice, the government should identify and describe: (a) the dates, times, places and persons involved in such other crimes, wrongs or acts, (b) the statements of each participant in such other crimes, wrongs or acts, (c) the documents which contain evidence of other crimes, wrongs or acts including when the documents were prepared, who prepared them and who has possession of them, (d) copies of audio and/or video recordings of such crimes, wrongs or acts, and (e) the bases or issues on which the government believes such crimes, wrongs or acts is relevant within Fed. R. Evid. 404(b).

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of March, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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/s/
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